

Notice of Allowability

Application No.

09/912,299

Examiner

Benny Q. Tieu

Applicant(s)

LIN, CHING-YUAN

Art Unit

2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to patent application filed July 26, 2001.
2. ☒ The allowed claim(s) is/are 1-4.
3. ☒ The drawings filed on 26 July 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Reasons For Allowance

1. The following is an examiner's statement of reasons for allowance: Ono et al. (U.S. Patent No. 4,198,601) teach a hand-held microphone for transceiver wherein with the voltage controlled by the resistance 34, the display on the display device 4 is adjusted to an appropriate brightness (column 4, lines 35-37). Ogita (U.S. Patent No. 4,348,666) teaches a signal level display apparatus arranged so that an ac signal is superposed upon either an input signal or a reference voltage of a comparator to display the input signal with differences in degrees of brightness of illumination of light-emitting elements constituting a display unit when viewed externally, to thereby distinguish the level of the input signal which is closer to the level of the reference voltage from the level departing away therefrom (Abstract). Cheng (U.S. Patent No. 6,507,729) teaches a luminescent external dialer for mobile phone wherein the photosensitive circuit 26 of the external dialer 2 can detect the light in the environment. If it's too dark, the luminescent panel circuit 25 is triggered by the photosensitive circuit 26 to increase the luminescence of the device so that users can dial or input messages in the dark or gloomy surroundings (column 2, lines 60-65). However, prior art of record fails to teach, or renders obvious, alone or in combination, in a cellular phone having a display, a central processing unit (CPU), a photosensitive element on a surface, and a control circuit coupled to said photosensitive element, a method comprising the steps of: (a) switching said cellular phone to an automatic background brightness control mode; (b) measuring a voltage between two terminals of said photosensitive element by said CPU; and (c) adjusting a background brightness of said display with respect to said measured voltage as directly claimed in independent claim 1.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Benny Q. Tieu whose telephone number is (703) 305-2360. The examiner can normally be reached on Monday-Friday: 6:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (703) 305-4731. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Benny Q. Tieu
Primary Examiner
Art Unit 2642